

Remarks

The Applicants confirm the earlier election of Claims 47 – 67 for immediate prosecution. Claims 1 – 46 have been cancelled. The Applicants reserve the right to file one or more divisional applications directed to the subject matter therein.

Claims 47 – 67 have also been cancelled and new Claims 68 – 77 have been added. New Claims 68 – 77 are directed substantially to the same subject matter as in elected Claims 47 – 67.

In any event, support for Claim 68 may be found in the Specification at page 28, line 9 to page 34, last line and Figs. 1 – 8. Support for new Claim 69 may be found at page 28, lines 10 – 16 and page 34, lines 3 – last line. Support for new Claim 70 can be found in the drawings, while support for Claims 71 – 74 may be found in original Claims 48 – 53, respectively. Finally, support for new Claims 75 – 77 may be found in original Claims 55 – 57, respectively.

Turning now to the merits, the Applicants acknowledge the rejection of Claims 47, 48 and 52 as being anticipated by Day. While Day may, at first glance, have superficial similarities to the invention, the Applicants respectfully submit that Day is inapplicable to the claims as solicited herein. There are significant omissions in the disclosure of Day that preclude application of §102.

In that regard, the solicited claims call for a plurality of plate-shaped core materials, each having a curved surface portion with a small radius of curvature on at least a part of the core material, those plate-shaped core materials being stacked to form a stacked body of core materials. However, in sharp contrast, the stacked bodies of Day do not provide plate-shaped materials having curved surface portions. Moreover, the stacking is not performed to a selected target thickness while the curved surface portions overlap with each other. Accordingly, Day fails to disclose at least two important aspects of the invention as recited in the solicited claims.

The solicited claims also call for a reinforcing fiber substrate disposed along the curved surface portion of the stacked body of core materials. However, the manner of disposing the sheet in Day that constitutes the reinforcing fiber substrate is disposed perpendicular to the surface of strip 58, which is the completed product. As a consequence, the reinforcing fiber substrate of Day is oriented at a 90° angle relative to the reinforcing fiber substrate of the invention. Thus, Day fails to disclose, either implicitly or explicitly, yet another claimed aspect of the invention. Withdrawal of the rejection based on Day is accordingly respectfully requested.

The Applicants acknowledge the rejection of Claims 47 – 48, 50 – 53 and 58 – 61 as being anticipated by WO '898. Unfortunately, like Day, WO '898 is really directed to different subject matter having nothing to do with the invention as recited in the solicited claims. WO '898 relates to a cargo container having a box-type, rectangular parallelepiped shape. FRP skin plates 25a, 25b are disposed around a flat plate-like and single plate-like core 28 having no curved surface portion and plate-like core materials each having a curved surface portion 5 on a part thereof that are not stacked and/or stacked to a target thickness while the curved surface portions overlap each other. This is in sharp contrast to the recited claims, which provide for a plurality of plate-shaped core materials, each of which has a curved surface portion wherein the core materials are stacked to form a stack body in the thickness direction of the body to a target thickness so that the curved surface portions of the core material overlap each other and include a reinforcing fiber substrate on at least one surface of the stacked body of core materials along the curved surface portion of the stacked body of core materials. This claimed structure is simply not disclosed, either implicitly or explicitly, by WO '898. The Applicants accordingly respectfully request withdrawal of the §102 rejection based on WO '898.

The Applicants acknowledge the 35 U.S.C. §102 rejection of Claims 53 – 54 and 64 – 67 as being anticipated by Seemann. Unfortunately, Seemann is even further afield than Day and WO '898. In that regard, Seemann utterly fails to provide disclosure concerning a plurality of plate-shaped core materials each having a curved surface portion, forming a stacked body of core materials having the curved surface portion on at least a part of the body by stacking a plurality of the core materials in the thickness direction of the body to a target thickness so that the curved surface portion of the core materials overlap each other and disposing a reinforcing fiber structure on at least one surface of the stacked body of core materials along the curved surface portion of the stacked body of core materials. Careful scrutiny of the Seemann disclosure reveals that there is no appreciation for the curved surface portion aspect of the invention as recited in the claims. Accordingly, Seemann cannot support a rejection under 35 U.S.C. §102. Withdrawal of the rejection is respectfully requested.

The Applicants acknowledge the rejection of Claims 47 – 52 over the hypothetical combination of Day or WO '898 with Seemann. In view of the comments set forth above with respect to Seemann, Day and WO '898 individually and their failure to disclose, teach or suggest important aspects of the recited claims, hypothetically combining those deficient disclosures would still fail to teach or suggest the invention as recited in the solicited claims. As a consequence, even if one of ordinary skill in the art were to make the hypothetical combination, the resulting teachings would still fail to teach or suggest a plurality of plate-shaped core materials, each of which has a curved surface portion having a small radius of curvature on at least one part of the core material, forming a stacked body of core materials having the curved surface portion on at least a part of the body by stacking a plurality of the core materials in the thickness direction of the body to a target

thickness so that the curved surface portion of the core materials overlap each other and disposing a reinforcing fiber substrate on at least one surface of the stacked body of core materials along the curved surface portion of the stacked body of core materials. Withdrawal of the rejection based on the hypothetical combination of Day or WO '898 with Seemann is accordingly respectfully requested.

The same reasoning applied to the rejection of Claims 49 and 62 over the hypothetical combination of Seemann with WO '898. Withdrawal of that rejection is also respectfully requested.

The Applicants acknowledge the rejection based on the hypothetical combination of Johnson with Seemann or WO '898. Unfortunately, Johnson fails to provide teachings or suggestions to those of ordinary skill in the art that would cure the deficiencies, as already noted above, with respect to Seemann and WO '898. The fact that Johnson discloses a process for blow-molding a hollow core that is then wrapped with fiber material and impregnated with resin does not cure the deficiencies set forth above with respect to both of Seemann and WO '898. Withdrawal of the rejection is accordingly respectfully requested.

Hypothetically combining Louderback with Johnson and Seemann also fails to teach or suggest the invention for the reasons set forth above. Also, Louderback and its disclosure of a core having a multiplicity of grooves that are either machined or molded fails to cure the deficiencies of Johnson and Seemann. Again, withdrawal of the rejection is respectfully requested.

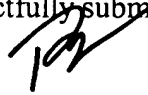
The rejection based on Louderback and Seemann, again, fails for the reasons set forth above. There is nothing in Louderback that cures the deficiencies of Seemann as already discussed. The grooves taught by Louderback are insufficient to make up for the deficiencies in Seemann. Withdrawal of that rejection is respectfully requested.

Hypothetically combining Folsom with Newsom would still fail to teach or suggest a process of providing a plurality of plate-shaped core materials, each of which has a curved surface portion having a small radius of curvature on at least a part of the core material, forming a stacked body of materials having the curved surface portion on at least a part of the body by stacking the plurality of the core materials in the thickness direction of the body to a target thickness so that the curved surface portions of the core materials overlap each other, and disposing of reinforcing fiber substrate on at least one surface of the stacked body of core materials along the curved surface portion of the stacked body of core materials. Careful scrutiny of both disclosures reveals that they simply do not teach or suggest that process, whether taken individually or collectively.

Finally, further combining Seemann with Newsom and Folsom as discussed above does nothing to cure their deficiencies as described above. There is utterly nothing in all of the three references that would lead one of ordinary skill in the art to the invention as recited in the solicited claims. Withdrawal of the rejection based on Newsom, Folsom and Seemann is respectfully requested.

In light of the foregoing, we respectfully submit that the entire Application is now in condition for allowance, which is respectfully requested.

Respectfully submitted,



T. Daniel Christenbury
Reg. No. 31,750

TDC:lh
(215) 656-3381